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## WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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### CLEARINGHOUSE RULE 16-058

#### Comments

**[NOTE:** All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Reference Bureau and the Legislative Council Staff, dated December 2014.]

#### 2. Form, Style and Placement in Administrative Code

a. The introductory clause that enumerates the provisions treated by the proposed rule and that states its general subject matter does not appear to match the content of the proposed rule. Was the correct introductory clause used?

b. In SECTIONS 7, 8, 14, and 16 of the proposed rule, the treatment of the affected rule sections should be divided into separate SECTIONS to renumber and amend, amend, or repeal the affected subunits. The text of repealed subunits and unaffected subunits should not be shown. [ss. 1.04 (1) (b) 2., 1.057, and 1.06 (1), Manual.] For example:

- (1) SECTION 7 should be divided into separate SECTIONS to first renumber and amend s. Tax 13.05 (4) (a) (intro.) to (4) (a), and then to repeal s. Tax 13.05 (4) (a) 1. to 3.
- (2) SECTION 16 should be divided into separate SECTIONS to first repeal s. Tax 13.08 (1) to (5), to amend s. Tax 13.08 (6) (intro.), and then to repeal s. Tax 13.08 (7).

c. SECTIONS 9 to 11 of the proposed rule could be combined into one SECTION. When two or more subunits of the same rule section are affected by the same treatment, and any intervening subunits are unaffected, they may be included in the same SECTION of the proposed rule. [s. 1.04 (2) (a) 4., Manual.]

**5. Clarity, Grammar, Punctuation and Use of Plain Language**

a. To improve clarity for the reader, consider adding notes describing the statutory provisions in sections that refer back to a specific statute. For example, in SECTION 14 of the proposed rule, the rule refers back to s. 70.395 (2) (h), Stats., for distribution priority. It may be helpful to the reader to insert a note here that describes distribution priority required by the statute. [s. 1.09, Manual.]

b. In SECTION 14 of the proposed rule, there is an extraneous period after “(h)” and before the comma in the amended language that should be removed.

c. In the rule summary’s comparison with rules in adjacent states, it is not clear what the rules in other states might be. Has the department searched but not found any similar rules in the adjacent states?